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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue

Application

Of

U.S. Patent No.: 5,543,297

SEP - 3 2004

Applicant : Wanda A. Cromlish

TECH CENTER 1600/2900

Reissue

Serial No. : To Be Assigned 09/731,632

Case: 18906IAR

Art Unit:  
1652

Filed : November 20, 2000

For : HUMAN CYLOOXYGENASE-2 CDNA AND  
ASSAYS FOR EVALUATING CYCLOOXY-  
GENASE-2 ACTIVITY

Examiner  
Rao, Manjunath N.

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

AMENDMENT

Sir:

This is in response to a non-final rejection, mailed May 5, 2004, setting forth a shortened statutory response, ending August 5, 2004. A request for a one month Extension of Time is attached. Any additional fees required in connection with this application may be taken from Merck Deposit Account number 13-2755.

Reconsideration of Applicants claims is requested. Applicants Direct the Examiners attention to the Replacement Declaration of The Assignee, which authorizes the undersigned attorney and other in-house attorneys to prosecute this application.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

By Aut. C. S. Gray MEBCK & CO., INC.  
Date Aug 30, 2004

Amendment to the Claims begins on Page 3 of this response.

Remarks begin on page 9 of this Response.

Marked-up version of the amended Claims begins on Page 14 of this response.

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PATENT  
CASE NO. 18906IAR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In re application of: WANDA A. CROMLISH  
Serial No. 09/731,632  
Filed November 20, 2000  
Group Art Unit 1652  
Examiner Rao, Manjunath N  
For: HUMAN CYCLOOXYGENASE-2 CDNA AND ASSAYS FOR  
EVALUATING CYCLOOXYGENASE-2 ACTIVITY

Transmitted herewith is an amendment in the above-identified application.

No additional fee is required.  
 The fee has been calculated as shown below.

CLAIMS AS AMENDED

(1)	(2) Claims remaining after amendment	(3)	(4) Highest Number Previously Paid For	(5) Present Extra	(6) Rate	(7) Additional Fee
Total Claims	* <u>22</u>	-	** <u>27</u> =	<u>0</u> X	\$18	= <u>0.00</u>
Independent Claims	* <u>11</u>	-	*** <u>12</u> =	<u>0</u> X	\$86	= <u>0.00</u>
Multiple Dependent Claims					\$290 ****	= <u>          </u>
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>						0.00

\* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.  
\*\* If the "Highest Number Previously Paid For" in this space is less than 20, write "20" in this space.  
\*\*\* If the "Highest Number Previously Paid For" in this space is less than 3, write "3" in this space.  
\*\*\*\* Add this fee only if application is amended to include multiple dependent claims (regardless of number) and no multiple dependent claims were originally filed.

Charge \$ 0.00 to Deposit Account No. 13-2755. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2755. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

By Curtis C. Panzer Date Aug 30, 2004

Respectfully,

Curtis C. Panzer  
By: Curtis C. Panzer  
Attorney for Applicant(s)

Reg. No. 33,752

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Date: August 30, 2004

IN DUPLICATE